

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

GREAT FALLS DIVISION

MICHAEL MAX MILLER,

Plaintiff,

vs.

GOV. BRIAN SCHWEITZER, et al,

Defendants.

FILED
GREAT FALLS, MT
2009 MAR 12 PM 2 35
PATRICK E. DUFFY, CLERK
BY _____
DEPUTY CLERK

No. CV-09-02-GF-SEH

ORDER

United States Magistrate Keith Strong entered his Findings and Recommendation¹ on February 2, 2009. Plaintiff filed objections on March 12, 2008. The Court reviews *de novo* findings and recommendation to which objection is made. 28 U.S.C. § 636(b)(1).

Upon *de novo* review of the record, I find no clear error in Judge Strong's Findings and Recommendation and adopt them in full.

ORDERED:

1. Plaintiff's Complaint² is DISMISSED WITHOUT PREJUDICE.

¹ Docket No. 5.

² Docket No. 2.

2. Any appeal from this disposition will not be taken in good faith because the Complaint is frivolous, lacks arguable substance in law or fact, is untimely, and fails to state a claim upon which relief may be granted. Fed. R. App. P. 24(a)(3).

3. The Clerk shall enter judgment accordingly.

DATED this 12th day of March, 2009.


SAM E. HADDON
United States District Judge